

REMARKS

Reconsideration of the present application, as amended, is respectfully requested. Claims 1, 2, and 10 have been amended. No claims have been added or canceled. Therefore, claims 1-10 remain pending in the present application.

The specification stands objected to for containing an embedded hyperlink at page 17, line 21, and page 20, line 4. It is asserted that Applicants are required to delete the embedded hyperlink. Applicants respectfully disagree. The hyperlinks of the present application are intended as part of the invention and Applicants do not intend to have the hyperlinks as active links. "Where the hyperlinks and/or other forms of browser-executable codes are part of applicant's invention and it is necessary to have them included in the patent application in order to comply with the requirements of 35 U.S.C. §112, first paragraph, and applicant does not intend to have these hyperlinks to be active links, examiners should *not object to these hyperlinks*." (Emphasis added) See MPEP, §608.01. Applicants respectfully submit that the hyperlinks at page 17, line 21 and page 20, line 4 are in accordance with MPEP §608.01 and request that the objection be withdrawn.

Claims 1 and 2 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite. The antecedent basis for the phrase "the wireless device" and the term "data" have been corrected. Applicants respectfully request that the §112 rejection of claims 1 and 2 be withdrawn.

Claim 10 stands rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,453,416 to Epstein ("Epstein"). Claim 10 recites, in part, the feature of control logic configured to "forward, via an established protected short range wireless connection, the digitally signed data string from the mobile electronic transaction device." As noted at page 4 of the Office Action, Epstein does not disclose a smart card device that is wireless. Applicants respectfully submit that claim 10 distinguishes over Epstein and requests that the §102 rejection of claim 10 be withdrawn.

Claims 1, 2, and 6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Epstein in view of WO 98/57510 to Wiehler ("Wiehler"). Claim 1 recites, in part, the features of "establishing a protected short range wireless link between a computer and the wireless device" and "transmitting, via the short range wireless link, the digital signature from the wireless device to the computer."

As noted above, the Office Action acknowledges that Epstein does not teach a smart card device that is wireless. Wiehler does not remedy this deficiency as Wiehler also does not teach establishing a short range wireless link and transmitting, via the short range wireless link, the digital signature from the wireless device to the computer. Instead, Wiehler teaches transmitting information from the mobile unit to the computer via a wired link such as an RS232 interface. *See* Wiehler, page 4 last paragraph. Applicants respectfully submit that claim 1 distinguishes over the combination of Epstein and Wiehler and requests that the §103 rejection of claim 1 be withdrawn.

Claims 2 and 6 are directly dependent from claim 1 and should distinguish over the combination of Epstein and Wiehler for at least the same reasons as stated above. Applicants respectfully request that the §103 rejection of claims 2 and 6 be withdrawn.

Claims 3-5 and 7-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Epstein and Wiehler in view of U.S. Patent No. 6,654,754 to Knauft et al. ("Knauft") in view of "HTTP Authentication: Basic and Digest Access Authentication" by Franks et al. ("Franks"). Regarding claims 3-5, these claims are directly dependent from claim 1 and should distinguish over Epstein and Wiehler for at least the same reasons as stated above. Knauft and Franks do not remedy the deficiencies of Epstein and Wiehler as neither Knauft nor Franks, taken alone or in combination, teach establishing a short range wireless link and transmitting, via the short range wireless link, the digital signature from the wireless device to the computer as recited in claim 1. Instead, Knauft has merely been cited for the purpose of teaching that the user may be authenticated by issuing commands within an HTTP request for user authentication. Franks has

merely been cited for the purpose of teaching the use of a WWW-authenticate header containing a command requesting authentication from the user as well as data to be digitally signed and a URL for the response. Applicants respectfully submit that claims 3-5 distinguish over the combination Epstein, Wiehler, Knauft, and Franks and requests that the §103 rejection of claims 3-5 be withdrawn.

Claim 7 recites, in part, the features of “establishing a short range wireless link between the computer and a wireless device” and “forwarding the digital signature to the computer from the wireless device via the short range wireless link.” As set forth above with respect to claim 1, neither Epstein nor Wiehler teach these features. Instead, Wiehler teaches transmitting information from the mobile unit to the computer via a wired link such as an RS232 interface. Knauft and Franks do not remedy the deficiencies of Epstein and Wiehler as neither Knauft nor Franks teach establishing a short range wireless link and transmitting, via the short range wireless link, the digital signature from the wireless device to the computer as recited in claim 7. Applicants respectfully submit that claim 7 distinguishes over the combination of Epstein, Wiehler, Knauft, and Franks and request that the §103 rejection of claim 7 be withdrawn.

Claims 8 and 9 are directly dependent from claim 7 and should distinguish over the combination of Epstein, Wiehler, Knauft, and Franks for at least the same reasons as stated above. Applicants respectfully request that the §103 rejection of claims 8 and 9 be withdrawn.

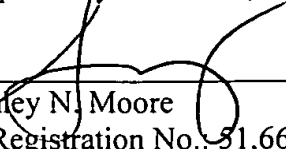
CUSTOMER NO. 23932
Application No.: 09/803,005

PATENT APPLICATION
Docket No.: 34650-00597USPT

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: 7/7/04

Respectfully submitted,

By 
Ashley N. Moore
Registration No.: 51,667

JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION

1445 Ross Avenue, Suite 3200
Dallas, Texas 75202
(214) 855-4500
Attorneys For Applicant